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1 2 3 4 5 6 7 8 9	ROBBINS GELLER RUDMAN & DOWD LLP SHAWN A. WILLIAMS (213113) CHRISTOPHER M. WOOD (254908) Post Montgomery Center One Montgomery Street, Suite 1800 San Francisco, CA 94104 Telephone: 415/288-4545 415/288-4534 (fax) shawnw@rgrdlaw.com cwood@rgrdlaw.com - and - TRAVIS E. DOWNS III (148274) 655 West Broadway, Suite 1900 San Diego, CA 92101 Telephone: 619/231-1058 619/231-7423 (fax) travisd@rgrdlaw.com Co-Lead Counsel for Plaintiffs	SAXENA WHITE P.A. MAYA SAXENA JOSEPH E. WHITE 2424 N. Federal Highway, Suite 257 Boca Raton, FL 33431 Telephone: 561/394-3399 561/394-3382 (fax) msaxena@saxenawhite.com jwhite@saxenawhite.com		
11	UNITED STATES DISTRICT COURT			
12	NORTHERN DISTRICT OF CALIFORNIA			
13				
14	SAN JOSE DIVISION			
15	In re FINISAR CORP. DERIVATIVE LITIGATION	Master File No. C-06-07660-RMW-HRL		
		STIPULATION AND [] ORDER		
16	This Document Relates To:	VACATING DEADLINES AND SETTING SCHEDULE FOR FILING OF		
17	ALL ACTIONS.	PRELIMINARY APPROVAL PAPERS		
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1	WHEREAS, as set forth in the August 24, 2012 Joint Case Management Conference	
2	Statement, the parties participated in an all-day mediation on October 11, 2012;	
3	WHEREAS, while no agreement was reached to resolve the action at that time, the parties	
4	settlement discussions continued in the ensuing months;	
5	WHEREAS, the parties are pleased to	report that they have now reached an agreement in
6	principle to resolve this action in its entirety;	
7	WHEREAS, the parties respectfully request that the Court vacate all deadlines currently se	
8	in this action, including the April 8, 2013 deadlines for plaintiffs to file a motion to strike pursuant to	
9	Fed. R. Civ. P. 12(f)(2) and for defendants to file a motion to amend pursuant to Fed. R. Civ. P.	
10	15(a)(1)(A), so that the parties can finalize a stipulation of settlement and related documents; and	
11	WHEREAS, plaintiffs intend to submit a Motion for Preliminary Approval of Derivative	
12	Settlement no later than April 29, 2013.	
13	NOW, THEREFORE, the parties hereby stipulate and agree, subject to this Court's approval	
14	as follows:	
15	1. All deadlines currently set in t	his action, including the April 8, 2013 deadlines for
16	plaintiffs to file a motion to strike pursuant to Fed. R. Civ. P. 12(f)(2) and for defendants to file	
17	motion to amend pursuant to Fed. R. Civ. P. 1	15(a)(1)(A), are vacated.
18	STIPULATED AND AGREED:	
19	DATED: April 5, 2013	ROBBINS GELLER RUDMAN & DOWD LLP
20		SHAWN A. WILLIAMS CHRISTOPHER M. WOOD
21		CHRISTOTTILK M. WOOD
22		s/ Christopher M. Wood
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9		Co-Lead Counsel for Plaintiffs
10	DATED: April 5, 2013	PILLSBURY WINTHROP SHAW
11		PITTMAN LLP SARAH A. GOOD
12		SARAH A. GOOD
13		s/ Sarah A. Good SARAH A. GOOD
14		SARAH A. GOOD
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18		Counsel for Defendant Stephen Workman
19	DATED: April 5, 2013	DLA PIPER LLP
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20		s/ David A. Priebe
21		DAVID A. PRIEBE
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		Counsel for Nominal Defendant Finisar
25		Corporation
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1	DATED:	April 5, 2013	GOODWIN PROCTER LLP
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3			s/ Lloyd Winawer
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11			Counsel for Defendants Michael C. Child, Roger
12			C. Ferguson and Frank H. Levinson
13	DATED:	April 5, 2013	LAW OFFICES OF JARED L. KOPEL JARED L. KOPEL
14			/T 17 T
15			s/ Jared L. Kopel JARED L. KOPEL
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19			Counsel for Defendant Jerry S. Rawls
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1	I, Christopher M. Wood, am the ECF User whose identification and password are being used	
2	to file the Stipulation and [Proposed] Order Vacating Deadlines and Setting Schedule for Filing of	
3	Preliminary Approval Papers. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that	
4	Sarah A. Good, David A. Priebe, Lloyd Winawer and Jared L. Kopel have concurred in this filing.	
5	s/ Christopher M. Wood	
6	CHRISTOPHER M. WOOD	
7		
8	* * *	
9	ORDER	
10	Based on the above Stipulation of the parties, by and through their counsel of record, and for	
11	good cause showing, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:	
12	1. All deadlines currently set in this action, including the April 8, 2013 deadlines for	
13	plaintiffs to file a motion to strike pursuant to Fed. R. Civ. P. 12(f)(2) and for defendants to file a	
14	motion to amend pursuant to Fed. R. Civ. P. 15(a)(1)(A), are vacated.	
15	IT IS SO ORDERED. DATED: HOT HOT HOT Note	
16	DATED: THE HONORABLE RONALD M. HYTE	
17	UNITED STATES DISTRICT JUDGE	
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